

[\*Goese v. Ebasco Services, Inc.\*](#), 88-ERA-25 (Sec'y Dec. 8, 1988)

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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR  
WASHINGTON, D.C.

DATE: December 8, 1988  
CASE NO. 88-ERA-25

JIM GOESE,  
COMPLAINANT,

v.

EBASCO SERVICES, INC.,  
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER APPROVING SETTLEMENT AND DISMISSING CASE

This case arises under section 210 of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1982). Before me for approval is a settlement agreement accompanied by a mutual release entered into by the parties in the case and a [recommended] Order of Dismissal issued by Administrative Law Judge (ALJ) Kenneth A. Jennings on September 28, 1988, and amended on September 22, 1988.

The terms of the settlement agreement and the provisions of the release have been carefully reviewed. These documents appear to encompass the settlement of matters arising under various laws, only one of which is the ERA. As stated in *Poulos v. Ambassador Fuel Co., Inc.*, Case No. 86-CAA-1, Secretary's Order, issued November 2, 1987, slip op. at 2:

[The Secretary's] authority over settlement agreements is limited to such statutes as are within [The Secretary's] jurisdiction and is defined by the applicable statute. See *Aurich v. Consolidated Edison Company of New York, Inc.*, Case No. CAA-2, Secretary's Order Approving Settlement, issued July 29, 1987; *Chase v. Buncombe County, N.C.*, Case No. 85-SWD-4, Secretary's Decision and Order on Remand, issued November 3, 1986.

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I have, therefore, limited my review of the agreement and release to determining whether the terms thereof are a fair adequate and reasonable settlement of Complainant's allegation that Respondent violated the ERA.

I find the terms of the agreement within the scope of authority to be fair, adequate and reasonable. I, therefore approve the settlement agreement and the release signed by the parties.

Accordingly, the complaint in this case is DISMISSED WITH PREJUDICE.

SO ORDERED.

ANN McLAUGHLIN  
Secretary of Labor

Washington, D.C.